

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

FEB -5 2007

JAMES W. MACCORMACK, CLERK  
By: *[Signature]*

DEP CLERK

**United States District Court**  
**for the**  
**Eastern District of Arkansas**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Rhonda Barrett

Case Number: 4:06CR00077-001 SWW

Name of Sentencing Judicial Officer: Honorable Susan Webber Wright  
United States District Judge

Offense: Making a false statement in determining rights to a federal health care program

Date of Sentence: June 13, 2006

Sentence: 3 years probation, 6 months home detention with electronic monitoring, financial conditions, maintain employment, probation to be administered by the district where she is a legal resident, DNA testing, \$10,332 restitution, and \$100 special penalty assessment

Type of Supervision: Probation      Date Supervision Commenced: June 13, 2006  
Expiration Date: June 12, 2009

Asst. U.S. Attorney: Karen Whatley      Defense Attorney: Jerome Kearney

U.S. Probation Officer: Dwayne M. Ricks  
Phone No.: 501-604-5273**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

The defendant's six months term of home detention with electronic monitoring will be waived. The defendant has exhausted all efforts to secure a home phone system that will be compatible for electronic monitoring without success. No present phone carriers in her area are able to supply her with home phone service that will be compatible for electronic monitoring.

**CAUSE**

On June 13, 2006, Ms. Barrett was sentenced to 6 months home detention with the use of electronic monitoring. However, the U.S. Probation Office in Charlotte, North Carolina, where she is a resident and is being supervised has indicated there is no telephone service available in the area where Ms. Barrett resides. Therefore, the use of electronic monitoring is unavailable. The U.S. Probation Office is requesting that Ms. Barrett's conditions be modified to waive the term of home detention with electronic monitoring. Ms. Barrett has signed a Prob 49 waiver agreeing to the modification. Ms. Barrett's attorney, Assistant Federal Public Defender Jerome Kearney has also agreed to the modification.

Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender

Name of Offender: Rhonda Barrett

4:06CR00077-001 SWW

Dwayne RicksDwayne M. Ricks  
U.S. Probation OfficerDate: 1/23/07Karen WhatleyKaren Whatley  
Assistant U.S. AttorneyDate: 1/25/07

This form is to be filed with Criminal Docketing as a motion.

## THE COURT ORDERS:

No Action  
 The Extension of Supervision as Noted Above  
 The Modification of Conditions as Noted Above  
 Other

Ashley Kibler Wright

Signature of Judicial Officer

February 5, 2007

Date

This form is to be filed with Criminal Docketing as an order and/or petition.

Approved:

Celan Schonel

Supervising U.S. Probation Officer

DMR/jkr

c: Assistant U.S. Attorney, Karen Whatley, P.O. Box 1229, Little Rock, AR 72203

PROB 49

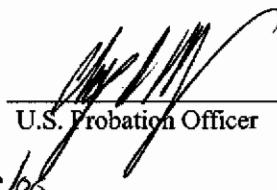
**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

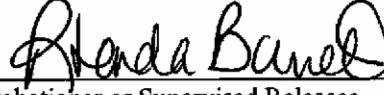
**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF ARKANSAS**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

"The defendant's six (6) month term of home detention with electronic monitoring will be waived. The defendant has exhausted all efforts to secure a home phone system that will be compatible for electronic monitoring without success. No present phone carriers in her area are able to supply her with home phone service that will be compatible for electronic monitoring."

Witness:   
\_\_\_\_\_  
U.S. Probation Officer  
  
Date: 12/8/06

Signed:   
\_\_\_\_\_  
Probationer or Supervised Releasee